FROM THE OFFICE OF

Senator Daniel Patrick Moynihan

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Contact: Tim Russert
Vicki Bear
202/224-4451

Moynihan Domenici
Mmm Chafee
Deconcini Wallop

STATEMENT BY SENATOR DANIEL PATRICK MOYNIHAN (D., N.Y.)

Upon Introducing the

Intelligence Reform Act of 1980

Thursday, January 24, 1980 at 2:00 p.m.

Today, with the support of several of my colleagues, I am introducing a bill which will strengthen the ability of the United States to deal with the world -- the world "as it is" -- if I may borrow a phrase from the President's address of last evening.

May I first say however that my friend and colleague, Dee Huddleston, with whom I serve on the Senate Select Committee on Intelligence, and who chairs the subcommittee concerned with the prospective charter of the intelligence agencies, has devoted to this matter the greatest energy and insight. Our chairman, Senator Bayh, continutes to provide the careful and competent leadership so required by a project of this importance. I have spoken with Senator Huddleston this morning and he has said that he has already been in touch with the President concerning the larger issues involved here. He has established, I believe, a sound basis for co-operation with the President in developing the kind of legislation that will be needed. What will be discussed here today should be seen as but the first blocks in the reconstruction of our intelligence community, not the final edifice.

Our bill speaks to three specific problems which have appeared in the operations of our intelligence community. These are: first, the process whereby Congress is kept

informed of the activities of the intelligence agencies; second, the requirement that our intelligence agencies respond to requests from the general public and make available information about the activities of those agencies; and third, the protection of those individuals who undertake intelligence duties on our behalf.

In outline, then, what we today propose is the following. The legislation will, first of all, have the effect of repealing the so-called Hughes-Ryan amendment, and of streamlining the process of intelligence agency accountability to the Congress. Existing law requires that these agencies inform eight committees of the Congress -- some 180 legislators - and almost as many staff -- whenever they undertake a mission outside the realm of intelligence "collection." Our proposal will reduce that number to two -- namely the Intelligence Committees of both the House and the Senate. Second, we propose that the amount of material that an intelligence agency must examine, in its own archives, in response to so-called freedom of information requests, be reduced. Third, in order to provide greater security for those who undertake intelligence work, our proposal will make criminally liable any individual who discloses the name of an intelligence operative, if he has learned the name as a result of his authorized access to such information, or if he discloses it with the intent of impairing or impeding the foreign intelligence activities of the United States.

This effort unites Senators from both parties and of varied political persuasions and backgrounds. Each of us brings an individual perspective to bear on these questions, and each of us will provide further elaboration of his own particular views as consideration of these matters proceeds. I sense, however, a common thread, which is to say, an effort to grapple with the problems posed by the requirement for timely and accurate intelligence, by the requirement to influence events overseas, and by the requirement to maintain necessary government secrecy without compromising either individual liberties or basic democratic principles.

In recent years, there has been a tendency in this country to believe that the requirement for intelligence activity is somehow self-generated, that past activities somehow result from a view of reality imposed by us, not in accordance with the scope of the threats we face. In this view, we have, therefore, an enormous range of choice in these matters, as if "secret" activities are something of a luxury, to be indulged in according to our predilection of the moment. But such a view, I think, obscures the reality of the totalitarian state in today's world, and the conditions of conflict which the existence of the totalitarian state imposes on the rest of us, almost by definition. There is no greater problem for the democracies, either practically or theoretically, than gauging the appropriate response.

This has been true for six decades now, and it has been especially true for those of us who are happy to identify ourselves with the "liberal" and the "progressive" impulse in American politics. It is important and necessary and, ultimately, decisive that American liberals take the lead in responding to the totalitarian threats of our own time.

As I stated before the Senate Select Committee on Intelligence hearings on the National Intelligence Reorganization and Reform Act of 1978 on May 16, 1978:

> I fear for the reputation of American liberalism -- and therefore for its future -- if it happens that American liberals, in the face of the fact of totalitarian expansion, nonetheless fail to identify the risk and fail to lead the resistance.

We offer to the Senate today a measure that, in our judgment achieves a proper balance between national requirements and individual protections. For too long, we have seen in our own nation a threat to our liberties which, more properly, ought to be seen in places outside our country. Simply stated, we have enemies in the world. It is the KGB, not the CIA, which threatens democracy.